

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 3154 OF 2004
IN
FIRST APPEAL NO. 407 OF 2003

Periswamy Ganeshan alias Thamil

Vaman ..Appellant

versus

Mumbai Mahanagar Palika & Ors. ..Respondents

Mr. D. D. Belosay for the Appellant.

None for the Respondents.

CORAM : D. G. DESHPANDE, J.

DATE : 30TH SEPTEMBER, 2005

P.C. :

1. Heard Counsel for the Appellant. None for the Respondents.

2. This application is filed by the appellant to amend the memo of appeal by adding respondent No.4 who is a third party. Notice of this Civil Application is given to Mr. A. R. Pande who is appearing for respondent Nos. 1,2 and 3. Counsel for the appellant has also shown acknowledgement of

Mr. Pande dated 23.6.2005. Advocate Pande's name is also shown on board, he is not present. Reply is filed. Objection of the Respondent Nos. 1, 2 and 3 is that Respondent No.4 is not concerned with the litigation and there is no necessity to join him.

3. Looking to the facts and circumstances, Civil Application is allowed. Appellant to amend the memo of appeal to join Respondent No. 4 within two weeks from today. Memo of appeal to be served on the Respondent No.4 within four weeks thereafter.

4. Liberty to file Civil Application for Court Receiver is granted.

5. Civil Application is disposed of accordingly.

30.9.2005

(D.G. DESHPANDE, J.)